

Message Text

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E.O. 11652: N/A

TAGS: EAIR, JA

SUBJECT: CIVAIR - CAB ORDER TO REDUCE JAL SCHEDULES

1. CAB TODAY PUBLICLY RELEASED TEXT OF ORDER TRANSMITTED
TO PRESIDENT ON MARCH 3 UNDER PART 213 OF CAB'S ECONOMIC
REGULATIONS. MAIN OPERATIVE PORTIONS OF ORDER ARE AS
FOLLOWS:

QUOTE. THE CURRENTLY EFFECTIVE SCHEDULES (EFFECTIVE UNTIL
APRIL 1, 1978) OF JAL AS REFLECTED IN ITS OFFICIAL TIME-
TABLE FOR COMBINATION SERVICES AND THE AIR CARGO GUIDE
DATED MARCH 1978 FOR ALL-CARGO SERVICES SHOW THE FOLLOWING
FREQUENCIES OF SCHEDULED OPERATIONS BY THE CARRIER BETWEEN
JAPAN AND THE UNITED STATES:

(1) FORTY-SIX COMBINATION FREQUENCIES IN EACH DIRECTION--
31 B-74'S, 4 DC-10'S AND 11 DC-8'S.

(2) SEVENTEEN ALL-CARGO FREQUENCIES IN EACH DIRECTION--
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5 B-74'S AND 12 DC-8'S.

THE BOARD FINDS THAT A REASONABLE RESPONSE TO JAPAN'S
UNILATERAL RESTRICTION ON FLYING TIGER'S ALL-CARGO
SCHEDULES IS TO REQUIRE JAL TO REDUCE ITS ALL-CARGO

SCHEDULES BETWEEN JAPAN AND SAN FRANCISCO BY THREE FRE-

QUENCIES IN EACH DIRECTION. THE BOARD WOULD ACCOMPLISH THIS REDUCTION BY PROHIBITING THE CARRIER FROM OPERATING FLIGHT 046 FROM TOKYO ON TUESDAY, WEDNESDAY AND SATURDAY AND FLIGHT 045 FROM SAN FRANCISCO ON WEDNESDAY, THURSDAY AND SUNDAY. THESE ALL-CARGO FLIGHTS ARE SCHEDULED TO CONNECT MOST CLOSELY WITH FLIGHTS BETWEEN JAPAN AND SINGAPORE, AND THEREFORE, WOULD MOST DIRECTLY AFFECT JAL'S CARRIAGE OF CARGO BETWEEN THE UNITED STATES AND SINGAPORE. THE BOARD WILL ALSO PRECLUDE ANY HOLDING OUT TO THE PUBLIC THAT JAL OPERATES ANY ALL-CARGO FLIGHT BETWEEN ANY POINT IN THE UNITED STATES AND JAPAN THAT CONNECTS WITH ANY JAL ALL-CARGO FLIGHT BETWEEN JAPAN AND SINGAPORE.

IN REACHING OUR CONCLUSIONS AS TO THE APPROPRIATE LIMITATIONS REQUIRED BY THE PUBLIC INTEREST TO BE IMPOSED ON JAL'S SCHEDULES, WE WISH TO EMPHASIZE THAT THE SPECIFIC LIMITATIONS PROVIDED IN THIS ORDER ARE NOT IMMUTABLE. SPECIFICALLY, JAL SHOULD NOTE THE PROVISIONS OF SECTION 213.3(E) OF THE ECONOMIC REGULATIONS. THEY PROVIDE THAT THE CARRIER IS AUTHORIZED TO MAKE APPLICATION TO THE BOARD FOR APPROVAL OF ANY OR ALL EXISTING OR PROPOSED SCHEDULES IN ACCORDANCE WITH SECTION 213.5. THE BOARD WILL CAREFULLY CONSIDER ANY MATTERS SUBMITTED BY THE CARRIER WHICH MIGHT JUSTIFY OTHER OR DIFFERENT SCHEDULE LIMITATIONS, AND WOULD BE PREPARED TO MODIFY THE PROVISIONS OF THIS ORDER IF IT WERE TO FIND A CHANGE TO BE IN THE PUBLIC INTEREST.

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UNQUOTE.

2. ORDER BECOMES EFFECTIVE 30 DAYS AFTER SERVICE OF ORDER, THAT IS ABOUT APRIL 13. PRESIDENT HAS 10 DAYS, THAT IS UNTIL MARCH 13, TO ACT ON PROPOSED ORDER.

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